



HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

PETER L GERMANAKOS  
Special Assistant Corporation Counsel  
(212) 356-2456

May 13, 2022

**VIA ECF**

Hon. Katherine Polk Failla  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: *N.B. et al. v N.Y.C. Dep't of Educ.* 22-cv-1069 (KPF)(SN)

Dear Judge Failla:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq. ("IDEA"), as well as for this action.

I write to respectfully request a 90-day extension of Defendant's time to respond to the complaint, from May 24 to August 22, 2022. This is the first such request. Further, we request an adjournment of the Court conference set for May 19, *sine die*. Plaintiff consents to these requests.

The requested extension is necessary to allow Defendant to complete its internal review process and will hopefully allow the parties to successfully resolve this matter. As with most of the many dozens of similar IDEA fees-only cases which have settled without any motion practice nor the need to file a response to the complaint, we are hopeful that the parties will settle this matter without the need for Court intervention.

Accordingly, Defendant respectfully requests a 90-day extension of its time to respond to the complaint to August 22, 2022 and an adjournment of the Court conference *sine die*.

Thank you for considering these requests.

Respectfully submitted,

/s/

Peter L. Germanakos  
Special Assistant Corporation Counsel

cc: Irina Roller, Esq. (via ECF)

Application GRANTED. Defendant shall respond to the complaint on or before **August 22, 2022**. Further, the conference scheduled for May 19, 2022, is hereby ADJOURNED *sine die*. The Clerk of Court is directed to terminate the pending motion at docket number 8.

Dated: May 16, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE